

Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 06-0197.01 Kristen Forrestal

SENATE BILL 06-041

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SENATE SPONSORSHIP

**Veiga,**

HOUSE SPONSORSHIP

**Coleman,** Cadman, and Carroll M.

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**Senate Committees**  
Business, Labor and Technology

**House Committees**

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A BILL FOR AN ACT

101      **CONCERNING THE APPLICATION OF THE HEALTH INSURANCE PROMPT**  
102            **PAY PROVISIONS TO CLAIMS MADE AS A RESULT OF A MOTOR**  
103            **VEHICLE ACCIDENT.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Interim Committee on Auto Insurance.** Requires that the prompt pay provisions for health insurance expenses apply to claims made as a result of injuries sustained as a result of a motor vehicle accident. Allows a health insurance carrier to seek reimbursement from any party deemed to be at fault for the accident.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** 10-16-106.5 (2.5), Colorado Revised Statutes, is  
3 amended to read:

4           **10-16-106.5. Prompt payment of claims - legislative**  
5 **declaration.** (2.5) This section shall ~~not~~ apply to claims ~~arising under~~  
6 ~~part 6 of article 4 of this title~~ MADE AS A RESULT OF INJURIES SUSTAINED  
7 IN A MOTOR VEHICLE ACCIDENT REGARDLESS OF WHETHER FAULT IN SUCH  
8 ACCIDENT HAS BEEN DETERMINED. A CARRIER MAY THEREAFTER SEEK  
9 REIMBURSEMENT FROM ANY PARTY THAT IS DETERMINED TO BE AT FAULT  
10 FOR THE ACCIDENT, TO THE EXTENT OF THAT PARTY'S LIABILITY.

11           **SECTION 2. Effective date - applicability.** (1) This act shall  
12 take effect January 1, 2007.

13           (2) However, if a referendum petition is filed against this act or  
14 an item, section, or part of this act during the 90-day period after final  
15 adjournment of the general assembly that is allowed for submitting a  
16 referendum petition pursuant to article V, section 1 (3) of the state  
17 constitution, then the act, item, section, or part, shall not take effect unless  
18 approved by the people at a biennial regular general election and shall  
19 take effect on the date specified in subsection (1) or on the date of the  
20 official declaration of the vote thereon by proclamation of the governor,  
21 whichever is later.

22           (3) The provisions of this act shall apply to claims made on or  
23 after the applicable effective date of this act.